

REMARKS

The final Action mailed October 21, 2004, has been carefully studied. Upon entry of the present amendment, only allowed claims will remain in the application, i.e. allowed claims 1-4 and 15-21, whereby the present application should be in condition for formal allowance. Applicants accordingly respectfully request favorable consideration, entry of the amendment presented above, and early formal allowance.

Claims 5-14 have again been rejected under the first paragraph of Section 112 as lacking enablement. As understood, the examiner takes the position that applicants' specification does not have sufficient information to enable one skilled in the art to use the invention as called for in rejected claims 5-14. While this rejection is again most strongly traversed, applicants need not further address this rejection at the present time in view of the proposed deletion of the rejected claims by amendments presented above.

For the record, however, applicants believe that it is not reasonable to assume that those skilled in the art, who are unquestionably highly skilled individuals, would not be able to practice the invention as claimed.

Insofar as the deletion of claims 5-14 is concerned, such deletion is made entirely without prejudice, and in

particular without dedication, disclaimer, abandonment, waiver, forfeiture, renunciation, concession, waiver or surrender of the subject matter of claims 5-14. In this regard, applicants rely on the fact that claim 1 is allowed, and therefore encompasses everything called for in the dependent claims, including the dependent claims already allowed and retained, and the dependent claims cancelled above.

As indicated above and is clear from the final action, claims 1-4 and 15-21 have been allowed by the PTO. Applicants understand that these claims therefore are deemed by the PTO to not only define novel and unobvious subject matter under Sections 102 and 103, but also to fully meet all the other statutory and other requirements for patentability, including all the requirements for patentability under Section 112. Applicants are proceeding in reliance thereof.

Applicants believe that all issues raised in the final action have been addressed above, and that upon entry of the amendments presented above (there are no reasons not to enter such amendments presented above), the present application will be in condition for formal allowance. Applicants accordingly respectfully request favorable

• Appln. No. 10/026,696  
Amd. dated April 20, 2005  
Reply to Office Action of October 21, 2004

reconsideration, entry of the amendments presented above and  
early formal allowance.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By



Sheridan Neimark  
Registration No. 20,520

SN:jec  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
G:\BN\Y\YUAS\Tamura4A\pto\AMD FNL 20 Apr 05.doc